IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6599 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE M.C.PATEL

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

FATEHMOHAMMED MOHAMMEDBHAI PARASARA

Versus

BM PANDYA OR HIS SUCCESSOR IN OFFICE

Appearance:

MR JAYANT PATEL for Petitioners

MR VB GHARANIA,AGP. for Respondent Nos.1 and 2.

MR SHIRISH JOSHI for Respondent No. 4, 5

CORAM : MR.JUSTICE M.C.PATEL

Date of decision: 12/07/2000

ORAL JUDGEMENT

Rule.

Mr.V.B.Gharania, AGP and Mr.Shirish Joshi waive

service of rule on behalf of the respective parties. At the request of the learned Counsel for the parties the matter is taken up for final disposal.

Heard the learned Counsel for the parties. In the facts and circumstances of the case, the best course to break the dead-lock will be to direct the District Registrar, Rajkot, to convene the Annual General Meeting of the society and hold election of the Managing Committee in accordance with by-laws. Accordingly, the District Registrar is directed to convene the Annual General Meeting of the society at the earliest, preferably, within three weeks from the date of the receipt of this order and whosoever is elected shall be entitled to be put in charge of the affairs of the society. Till then, status quo as on 07.09.1999 shall continue. Rule made absolute to the aforesaid extent. No order as to costs. Direct service permitted.

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m.m.bhatt